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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No.

2012-140

13 **MARYBETH JURICEK**  
14 5-28 C 115<sup>th</sup> Street  
College Point, NY 11356

**ACCUSATION**

15 **Registered Nurse License No. RN 576628**

16 Respondent.

17  
18 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the Executive  
21 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

22 2. On or about January 31, 2001, the Board issued Registered Nurse License Number  
23 RN 576628 ("license") to Marybeth Juricek ("Respondent"). The license was in full force and  
24 effect at all times relevant to the charges brought herein, and will expire on August 31, 2012,  
25 unless renewed.

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1 *Against Marybeth Juricek*, Cal. No. 24492, the New York State Education Department Office of  
2 Professional Discipline, State Board for Nursing, granted an Application for Consent Order  
3 ("Consent Order") wherein Respondent's registered professional nurse license number 327227  
4 was suspended for a period of two (2) years. However, the suspension was stayed, and  
5 Respondent was placed on probation for two (2) years with terms and conditions. The Consent  
6 Order was based on unprofessional conduct, in that on or about July 26, 2007, while employed as  
7 a registered professional nurse at New York Hospital Queens, Respondent forged the signature of  
8 Dr. K.C., a psychiatrist, on a Notice and Proof of Claim for Disability Benefits form and  
9 submitted it to the hospital for the purpose of obtaining disability benefits for herself. The  
10 Consent Order is attached hereto as **Exhibit A** and incorporated herein by reference.

11 **PRAYER**

12 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,  
13 and that following the hearing, the Board of Registered Nursing issue a decision:

- 14 1. Revoking or suspending Registered Nurse License Number 576628 issued to  
15 Marybeth Juricek;  
16 2. Ordering Marybeth Juricek to pay the Board of Registered Nursing the reasonable  
17 costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and,  
18 3. Taking such other and further action as deemed necessary and proper.

19 DATED: August 31, 2011

20 *for* *Louise R. Bailey*  
21 LOUISE R. BAILEY, M.ED., RN  
22 Executive Officer  
23 Board of Registered Nursing  
24 Department of Consumer Affairs  
25 State of California  
26 Complainant

24 SA2011100122  
25 10712752.doc

EXHIBIT A



# The University of the State of New York

IN THE MATTER

OF

MARY BETH JURICEK  
(Registered Professional Nurse)

ORIGINAL  
VOTE AND ORDER  
NO. 24492

Upon the application of MARY BETH JURICEK, under Calendar No. 24492, which application is made a part hereof, and in accordance with the provisions of Title VIII of the Education Law, it was

VOTED (July 28, 2009): That the application of MARY BETH JURICEK, respondent, for a consent order be granted; and that the Associate Commissioner for the Professions be empowered to execute, for and on behalf of the Board of Regents, all orders necessary to carry out the terms of this vote;

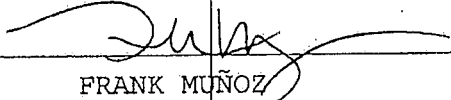
and it is

ORDERED: That, pursuant to the above vote of the Board of Regents, said vote and the provisions thereof are hereby adopted and SO ORDERED, and it is further

ORDERED that this order shall take effect as of the date of the personal service of this order upon the respondent or five days after mailing by certified mail.

MARY BETH JURICEK (24492)

IN WITNESS WHEREOF, I, Frank Muñoz,  
Associate Commissioner for the  
Professions, for and on behalf of the  
State Education Department and the  
Board of Regents, do hereunto set my  
hand, at the City of Albany, this  
28th day of July, 2009.

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FRANK MUÑOZ  
ASSOCIATE COMMISSIONER  
FOR THE PROFESSIONS

NEW YORK STATE EDUCATION DEPARTMENT  
OFFICE OF PROFESSIONAL DISCIPLINE  
STATE BOARD FOR NURSING

-----X

IN THE MATTER

of the

Disciplinary Proceeding

against

MARYBETH JURICEK

APPLICATION FOR  
CONSENT ORDER

CAL. NO. 24492

who is currently licensed to practice  
as a registered professional nurse  
in the State of New York.

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MARYBETH JURICEK states:

That on or about August 1, 1980 I was licensed to practice as a registered professional nurse in the State of New York, having been issued license number 327227 by the New York State Education Department.

I am currently registered with the New York State Education Department to practice as a registered professional nurse in the State of New York from an address at 5-28C 115th Street, College Point, New York 11356.

That I have been charged with one (1) specification of professional misconduct, a copy of which is annexed hereto, made a part hereof, and marked as Exhibit "A".

I do not contest the aforesaid specification of professional misconduct, charging me with committing unprofessional conduct

MARYBETH JURICEK

(forging the signature of a doctor in my application for disability benefits).

I hereby agree to the penalty that my license to practice as a registered professional nurse in the State of New York be suspended for a period of two (2) years; that execution of said suspension be stayed; that I be placed on probation for a period of two (2) years, under the terms set forth in the exhibit annexed hereto, made a part hereof, and marked as Exhibit "B"; and that I be fined the sum of two thousand five hundred dollars (\$2,500.00), said fine to be paid as set forth in the aforesaid terms of probation.

I hereby make this application to the Board of Regents and request that it be granted.

I understand that in the event that the Board of Regents denies the application, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me. Such application shall not be used against me in any way and shall be kept in strict confidence during the pendency of the disciplinary proceeding, and such denial by the Board of Regents shall be without prejudice to the continuance of the disciplinary proceeding and the final determination by the Board of Regents pursuant to the provisions of the Education Law.



MARYBETH JURICEK

I agree that in the event the Board of Regents grants my application, as set forth herein, an Order may be issued in accordance with the same. I understand that if and when the Board of Regents grants this application, the entire application shall become a matter of public record.

No promises of any kind were made to me. I am making this application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

Mary Beth Juricek  
Respondent

EXHIBIT "A"

MARYBETH JURICEK

SPECIFICATION OF PROFESSIONAL MISCONDUCT

Respondent is charged with committing unprofessional conduct, within the purview and meaning of New York Education Law section 6509(9), in specific violation of 8 N.Y.C.R.R. 29.1(b)(6), in that:

Respondent willfully made and filed a false report, as follows:

On or about July 26, 2007, while employed as a registered professional nurse at New York Hospital Queens, located in Flushing, New York, Respondent forged the signature of Doctor K.C., a psychiatrist, on a Notice and Proof of Claim for Disability Benefits form and submitted the same to the hospital for the purpose of obtaining disability benefits for herself.

EXHIBIT "B"

TERMS OF PROBATION

MARYBETH JURICEK

CALENDAR NO. 24492

1. That Respondent, during the period of probation, shall be in compliance with the standards of conduct prescribed by the law governing Respondent's profession;
2. That Respondent shall submit written notification to the New York State Education Department, addressed to the Director, Office of Professional Discipline, New York State Education Department, 475 Park Avenue South -- Second Floor, New York, New York 10016-6908, of any employment and/or practice, Respondent's residence, telephone number, or mailing address, and of any change in Respondent's employment, practice, residence, telephone number, or mailing address within or without the State of New York;
3. That Respondent shall pay the \$2,500.00 fine imposed upon Respondent, by certified or bank cashier's check, made payable to the order of the New York State Education Department, to be delivered to the Director, Office of Professional Discipline, as aforesaid, within the first six (6) months of the period of probation;
4. During the period of probation, Respondent shall be fit to practice Respondent's profession; that Respondent shall submit, at Respondent's expense, to an examination and any necessary treatment by a psychiatrist, previously approved, in writing, by the New York State Education Department, and Respondent shall, once every three (3) months during the period of probation, submit a report from said psychiatrist to the New York State Education Department, addressed to the Director, Office of Professional Discipline, as aforesaid, in which said psychiatrist shall state whether Respondent is fit to practice as a registered professional nurse in the State of New York. If any information is received by the New York State Education Department indicating that Respondent is unfit to practice her profession, such information may result in the initiation by the New York State Education Department of a violation of probation proceeding and/or such other proceedings against Respondent pursuant to the Education Law and/or Rules of the Board of Regents;
5. That Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all

MARYBETH JURICEK  
CALENDAR NO. 24492

registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the NYSED, addressed to the Director, Office of Professional Discipline, as aforesaid, no later than the first three months of the period of probation;

6. That Respondent shall submit written proof to the NYSED, addressed to the Director, Office of Professional Discipline, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board of Regents, said proof of the above to be submitted no later than the first two months of the period of probation;
7. That Respondent shall make quarterly visits to an employee of the Office of Professional Discipline, New York State Education Department, unless otherwise agreed to by said employee, for the purpose of said employee monitoring Respondent's terms of probation to assure compliance therewith, and Respondent shall cooperate with said employee, including the submission of information requested by said employee, regarding the aforesaid monitoring;
8. That upon receipt of evidence of noncompliance with or any other violation of any of the aforementioned terms of probation, the New York State Education Department may initiate a violation of probation proceeding and/or such other proceedings pursuant to the Education Law and/or Rules of the Board of Regents.

NEW YORK STATE EDUCATION DEPARTMENT  
OFFICE OF PROFESSIONAL DISCIPLINE  
STATE BOARD FOR NURSING

-----X

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of the

Disciplinary Proceeding

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MARYBETH JURICEK

APPLICATION FOR  
CONSENT ORDER

CAL. NO. 24492

who is currently licensed to practice  
as a registered professional nurse  
in the State of New York.

-----X

The undersigned agree to the above statement and to the  
proposed penalty based on the terms and conditions thereof.

Dated: March 25, 2009

Mary Beth Juricek  
Respondent

Dated: March 25, 2009

Carol A. DeLeon  
Attorney for Respondent

Dated: April 3, 2009

Lonnie A. Belmont, RN, MA  
Member of the State Board  
for Nursing

Dated: 5/12, 2009

Spring H. White  
Director  
Office of Professional Discipline

The undersigned, a member of the Board of Regents who has  
been designated by the Chairman of the Regents Committee on  
Professional Practice to review this Application for a Consent  
Order, has reviewed said Application and recommends to the Board  
of Regents that the Application be granted.

Dated: May 30, 2009

Genevieve Chapoy  
Member, Board of Regents

/yl



# The University of the State of New York

IN THE MATTER

OF

MARYBETH JURICEK

(REGISTERED PROFESSIONAL NURSE)

STATE OF NEW YORK )

SS:-

COUNTY OF ALBANY )

Michael A. Kinley

being duly sworn, deposes and says:

I am over the age of twenty-one years and am an employee of the New York State Education Department, Office of Professional Discipline, 80 Wolf Road, Suite 204, Albany, New York 12205-2643.

On the 6th day of August, 2009, I personally delivered to the Stuyvesant Plaza Post Office the Duplicate Original Vote of the Board of Regents and Order under Calendar No. 24492 and the Report of the Regents Review Committee or Application for Consent or Surrender, or Report of the designated Regent in a summary suspension proceeding as applicable, by Certified Mail - Return Receipt Requested to the respondent herein named at 5-28C 115<sup>th</sup> Street, College Point, New York 11356 & Carol Lee Reden, Esq., Law Office of Carol Lee Reden, Esq., R.N., M.S., 8 Rim Lane, P.O. Box 636, Hicksville, New York 11802-0636.

Certified Mail Receipt No. 700708600006510844218459

The effective date of the Order being the 11th day of August, 2009.

Sworn to before me this

19 day of August, 2009

Stephen E. Grogan

Michael A. Kinley

STEPHEN E. GROGAN

Notary Public, State of New York

Notary No. 040024714060

County of Albany

10

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

7002 0860 0000 6513 8459

Postmark Here

Postage	\$ 1.39
Certified Fee	\$ 2.80
Return Receipt Fee (Endorsement Required)	\$ 2.30
Restricted Delivery Fee (Endorsement Required)	\$ 6.49
Total Postage & Fees	\$ 10.99

Sent to Carol Lee Reden, Esq.  
 Law Office of Carol Lee Reden, Esq.  
 8 Rim Lane, P.O. Box 636  
 Hicksville, New York 11802-0636  
 PS Form 3800, April 2002 See Reverse for Instructions

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

2448 8459 0000 0860 0000 7002

Postmark Here

Postage	\$ 1.39
Certified Fee	\$ 2.80
Return Receipt Fee (Endorsement Required)	\$ 2.30
Restricted Delivery Fee (Endorsement Required)	\$ 4.50
Total Postage & Fees	\$ 10.99

Sent to Marybeth Juricek, R.N.  
 College Point, New York 11356  
 City, State, ZIP+4  
 PS Form 3800, April 2002 See Reverse for Instructions

**244Y2-Sucicek, R.N.**  
**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Carol Lee Reden, Esq.  
 Law Office of Carol Lee Reden, Esq., R.N., M.S.  
 8 Rim Lane  
 P.O. Box 636  
 Hicksville, New York  
 11802-0636

2. Article Number  
 (Transfer from service label)  
 PS Form 3811, February 2004

7002 0860 0000 6513 8459

Domestic Return Receipt

102595-02-M-1540

**244Y2-Sucicek, R.N.**  
**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
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 5-28C 115th Street  
 College Point, New York  
 11356

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 (Transfer from service label)  
 PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540